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FM AMEMBASSY TIRANA
TO RUEHC/SECSTATE WASHDC PRIORITY 8819
RUEHC/DEPT OF LABOR WASHDC

UNCLAS TIRANA 000088

SIPDIS

DEPT FOR EUR/SCE; DRL/ILCSR FOR SARAH MORGAN; G/TIP FOR LUIS
CDEBACA; DOL/ILAB FOR STROTKAMP, RIGBY AND MCCARTER

E.O. 12958: N/A
TAGS: ELAB EIND ETRD KTIP PHUM SOCI AL
SUBJECT: TIRANA RESPONSE FOR CHILD LABOR REPORT

11. (U) The following is in response to reftel request. Answers are keyed to reftel.

Tasking 1/TVPRA

Albania has no record of child labor or forced labor in the production of goods as defined in reftel.

Tasking 2/TDA

PREVALENCE AND SECTORAL DISTRIBUTION OF EXPLOITIVE CHILD LABOR

In what sectors (not related to the production of goods) were children in involved in exploitative labor (such as domestic service, street vending, and/or child prostitution)?

Mostly, children are involved in street vending, vehicle washers, the service sectors, and as beggars.

Posts are requested to determine if the government collected or published data on exploitative child labor during the period, and if so, whether the government would provide data set to DOL for further analysis.

The Labor Inspectorate collects data on child labor, but only for the formal sector. The GOA would likely be willing to share data with DOL upon request.

2B) LAWS AND REGULATIONS

What new laws or regulations were enacted in regard to exploitive child labor over the past year? If applicable, were there changes improvements in the legal and regulatory framework?

There have been no changes for 2009 in the Penal code.

Was the country/territory's legal and regulatory framework adequate for addressing exploitive child labor?

Overall, the legal and regulatory framework is inadequate and not targeted at child labor. Improvements to the labor code and criminal code and implementation of penalties are needed.

INSTITUTIONS AND MECHANISMS FOR ENFORCEMENT

What agency or agencies was/were responsible for the enforcement of laws relating to hazardous child/forced child labor?

Ministry of Labor, Child Labor Unit and General Inspectorate

If multiple agencies were responsible for enforcement, were there mechanisms for exchanging information?

N/A

Did the country/territory maintain a mechanism for making complaints about hazardous and forced child labor violations? If so, how many were received in the reporting period?

The Department for Children in the Ombudsman's office. However, the Ombudsman reported that it received no complaints in 2009 regarding child labor.

What amount of funding was provided to agencies responsible for inspections? Was this amount adequate? Did inspectors have sufficient office facilities, transportation, fuel, and other necessities to carry out inspections?

Funding was inadequate. Inspectors do have offices and transportation.

How many inspectors did the government employ? Was the number of inspectors adequate?

Approximately 150 labor inspectors.

How many inspections involving child labor were carried out? Were inspections carried out in sectors in which children work? Was the number of inspections adequate?

The government of Albania did not have available statistics at this time concerning the number of inspections it carried out. However it is widely believed that the number of inspections is inadequate.

How many children were removed/assisted as a result of inspections? Were these children actually provided or referred for services as a result (as opposed to simply fired)?

362 children were identified as a result of inspections according to data from the GOA. 199 children were sent back to school and 265 were given school supplies to assist them. 44 children were offered technical type training in fields such as manicure/pedicure, cook, and electrician courses. Still others received medical assistance and psychological assistance.

How many child labor cases or "prosecutions" were opened?

The GOA does not have this data currently, but NGOs believe the answer to be zero.

How many child labor cases were closed or resolved?

N/A

How many violations were found or "convictions" reached?

N/A

What is the average length of time it took to resolved child labor cases?

N/A

In cases in which violations were found, were penalties actually applied, either through fines paid or jail sentence served? Did such sentences meet penalties established in the law?

N/A

Did the experiences regarding questions 7 though 10 above reflect a commitment to combat exploitative child labor?

The government does appear to have a commitment to combating child labor, but actual implementation of programs to do so is lacking, and resources and expertise are severely limited.

Did government offer any training for investigators or others responsible for enforcement? If so, what (if any) impact have these trainings had?

The government did offer training to MOL officials.

2D) INSTITUTIONAL MECHANISMS FOR EFFECTIVE ENFORCEMENT

Did the country/territory have agencies or personnel dedicated to enforcement of child trafficking/CSEC/use of children in illicit activities? How many investigators/social workers/dedicated police officers did the government employ to conduct investigations? If there were no dedicated agencies or personnel, provide an estimate of the number of people who were responsible for such investigation. Was the number of investigators adequate?

Generally, there are no departments specifically for children's issues. The identification is made by: social administrators in municipalities or communes; Child Protection Units in some of the main municipalities such as Korca, Elbasan, Shkoder, Durres, Kukes, Gjirokaster, or Pogradec; police for children in some regions; and labor inspectors. The Ministry of Interior maintains responsibility for trafficking in persons.

How much funding was provided to agencies responsible for investigating child trafficking/CSEC/use of children in illicit activities? Was the amount adequate? Did investigators have sufficient office facilities, transportation, fuel and other necessities to carry out investigations?

Funding and infrastructure are inadequate.

Did the country/territory maintain a hotline or other mechanism for reporting child trafficking/CSEC/use of children in illicit activities violations? If so, how many complaints were received in the reporting period?

The Ministry of Justice operates a Trafficking in Persons hotline. CRCA also operates a National Child helpline. Zero cases in the above categories were received.

How many investigations were opened in regard to child trafficking/CSEC/use of children in illicit activities? Was the number adequate?

Two cases were opened during 2009 involving the trafficking of minors.

How many children were rescued as a result?

2

How many arrests were made or other kinds of prosecutions carried out?

2

How many cases were closed or resolved?

0

How many convictions?

0

Did sentences imposed meet standards established in the legal framework?

N/A

Were sentences imposed actually served?

N/A

What is the average length of time it takes to resolved cases of child trafficking/CSEC/use of children in illicit activities?

Varies widely upon circumstances of individual cases.

Did the government offer any training for investigators or others responsible for enforcement of child trafficking/CSEC/use of children in illicit activities? If so, what was the impact (if any) of these trainings?

Yes. The Ministry of Interior trained officials in anti-trafficking awareness and identification. These trainings helped to sensitize officials and improved their ability to identify potential TIP victims.

If the country/territory experienced armed conflict during the reporting period or in the recent past involving the use of child soldiers, what actions were taken to penalize those responsible? Were these actions adequate or meaningful given the situation?

N/A

2E) GOVERNMENT POLICIES ON CHILD LABOR

Did the government have a policy or plan that specifically addresses exploitative child labor?

No. But child labor is referred to in the following action plans:

National Strategy for Socio-Economic Development, 2007-2010.

The National Strategy for Children 2005-2010.

National Anti-Trafficking Strategy 2008-2012.

National Strategy on Social service Delivery 2005-2009.

National Strategy for Social Inclusion 2007-2013.

Millennium Development Goals

A multi-level approach is applied at the national, district and local levels.

Did the country/territory incorporate exploitative child labor specifically as an issue to be addressed in poverty reduction, development, educational, or other social policies, such as Poverty Reduction Strategy Papers, etc?

Yes. The National Anti-Trafficking Strategy 2008-2012 includes a National Strategy on Child Trafficking and Protection of the Victims of Trafficking. This is a comprehensive framework for relevant institutions, with planned activities on awareness raising, capacity building, cooperation in law enforcement, legislative reform, victim protection, return and reintegration, and prevention of trafficking in children.

The National Strategy for Social Inclusion 2007-2013 includes in a Vulnerable Groups: Children at Risk section which deals with child labor and Child Labor Monitoring System (CLMS).

The National Strategy on Youth and its National Action Plan includes provisions related to: the establishment of information units on youth employment in all cities and rural areas; the establishment of mobile courses especially in rural areas; the establishment of information units for youth on national legislation and taxes for SMB's by the Chamber of Commerce; the establishment of more reintegration activities for ex-trafficked children, organization of more vocational training courses, summer camps, street theaters, and engagement of more peer educators in recreational activities with ex-trafficked children; extend the area of youth recreational activities to all over the country through the establishment of more Youth Centers, especially in rural areas and within Roma and Egyptian communities.

The National Strategy for Socio-Economic Development (NSSED) focuses on education, health and specific social programs. The Child Labor Monitoring System is listed as a priority.

The National Strategy for Children (2005-2010) provides for raising

awareness on child labor, setting up municipal and communal structures for protecting children at risk, improvement of legislation concerning children and coordination between central and local governments, NGOs and international organizations to fight child trafficking.

The National Strategy for Development of Social Services (2005-2010) provides for an increase of the social protection of children including working children, and for decentralization and diversification of social services including development of social alternatives.

The National Strategy for Employment and Vocational Training initiated the creation of a network of private employment agencies, aimed at improving the services offered by vocation training institutions and providing employment opportunities to marginalized communities, including young people.

Did the government provide funding to the plans described above?

Yes, in limited amounts.

Did the government provide non-monetary support to child labor plans?

Yes. Local governments assisted in the implementation of the Child Labor Monitoring System.

Provide any additional information about the status and effectiveness of the government's policies or plans during the reporting period in regard to exploitative child labor.

N/A

Did the government participate in any commissions or task forces regarding exploitative child labor? Was the commission active and/or effective?

Yes. The National Steering Committee for the Program on Elimination of Child Labor in Albania has been in place since November 2001. It is chaired by the Minister of Labor, Social Affairs and Equal Opportunities. It is composed of representatives of different ministries (Labor, Education, Justice, Interior), the President's Office, Employers' and Workers' organizations and NGOs in order to give the government guidance on child labor issues.

The Child Labor Unit has been set up in the Ministry of Labor, Social Affairs and Equal Opportunities in February 2002 to act as the national focal point for child labor issues and as a secretariat for the NSC.

Did the government sign a bilateral, regional or international agreement to combat trafficking?

The government signed a bilateral agreement with Greece in 2006.

2F) SOCIAL PROGRAMS TO ELIMINATE OR PREVENT CHILD LABOR

Did the government implement any programs specifically to address the worst forms of child labor?

The Child Labor Monitoring System (CLMS) in Albania aims to build upon lessons learned and to continue taking action against the progressive elimination of the worst forms of child labor by addressing the problem of CLMS on three levels: national capacity building on CLMS; community based CLMS, and the compilation of the CLMS Good Practices. The Program seeks to establish an institutional framework for a pilot CLMS, to reinforce the capacity of the stakeholders to implement a CLMS; and to test a model of CLMS in the following sectors: street, agriculture, factory production, services, trafficking and illicit activities.

Based on agreements at the district level, five CLM Local Action Committees have been set up in Tirana, Berat, Korca, Elbasani and Shkodra composed of heads of municipalities, labor inspectors, social welfare officers, education officers, trade unions, employment officers, and community police. They aim to supervise and provide technical assistance to the monitoring process and make referral decisions based on the information presented by multidisciplinary teams. Their goals are threefold: to identify child laborers and identify risks to which they are exposed; to refer them to services for rehabilitation and/or provide them with risk-reduction support as a temporary approach; and to track them to verify that they have been removed and/or that the risk has been eliminated and that they have access to satisfactory alternatives.

As a result of this Action Program in three districts, 362 working children and children at risk (223 boys and 139 girls) were identified and referred by Action Committees. Out of these, 145 children (103 boys and 42 girls) have been withdrawn and 217 children (120 boys and 97 girls) have been prevented by the Action Program.

The Child Labor Monitoring System by the Child Labor Unit of Social Affairs and Equal Opportunities of Albania to establish a pilot program for piloting the CLMS. This program incorporate child labor issues to be addressed in poverty reduction, education or other conditional cash transfer programs such as school meals, etc?

B. & Q
Ques t'd doteenmEld provide funding to the programs described above?

Yes: ALL 1,127,000 (USD 13,086.39)

Did the government provide non-monetary support to child labor programs?

No.

Provide any additional information about the status and effectiveness of the government's activities during the reporting period in relation to the programs described above.

None.

If the government signed one or more bilateral, regional, or international agreement/s to combat trafficking, what steps did it take to implement such agreement/s? Did the agreement result in tangible improvement?

N/A

CONTINUAL PROGRESS

The government of Albania has the commitment to fight child labor, however given its constraints the state of child labor remains similar to that in 2008. Inspections have increased slightly, but a lack of funding, expertise, and organization, as well as some social mores, impedes efforts to combat child labor.

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